

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 14-52339

DANIEL CHESTER JASTER, and
BARBARA HELEN WATSON,

Chapter 7

Debtors.

Judge Thomas J. Tucker

**ORDER DISAPPROVING REAFFIRMATION AGREEMENT BETWEEN DEBTOR
DANIEL CHESTER JASTER AND BMO HARRIS BANK NA (DOCKET # 25)**

This case is before the Court on the Reaffirmation Agreement between the Debtor Daniel Chester Jaster and BMO Harris Bank NA, untimely filed on October 24, 2014 (Docket # 25, the “Reaffirmation Agreement”).¹ For the reasons stated in this Order, the Court concludes that the Reaffirmation Agreement is not enforceable, and therefore must be disapproved.

Under 11 U.S.C. § 524(c)(1), a reaffirmation agreement is not enforceable unless it “was made before the granting of the discharge under section 727.” *See also In re Herrera*, 380 B.R. 446, 449-55 (Bankr. W.D. Texas 2007) and cases cited therein. As indicated in Part III of the Reaffirmation Agreement, BMO Harris Bank NA did not sign the Reaffirmation Agreement until October 24, 2014, three days after the Debtor Daniel Chester Jaster’s discharge order was entered on October 21, 2014 (Docket # 23). Therefore, the Reaffirmation Agreement is not enforceable.

For this reason,

IT IS ORDERED that the Reaffirmation Agreement (Docket # 25), is disapproved as unenforceable under 11 U.S.C. § 524(c)(1).

Signed on October 28, 2014

/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge

¹ The deadline to file a reaffirmation agreement is established by Fed.R.Bankr.P. 4008(a) — the deadline is “no later than 60 days after the date first set for the meeting of creditors under § 341(a) of the Code.” In this case, the deadline was October 20, 2014. Therefore, the Reaffirmation Agreement was filed after the deadline.